IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 16458 of 2004

Between:

Smt. Rukhiya Begum, W/o. Mohd. Jahangir,
R/o. H.No. 22-5-502/a, Aitaber Chowk, Punjeshah, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Cyberabad Commissionerate,
Lakdi-ka-pool, Hyderabad.
2 The Inspector of Police, Dargah Hussain Shah Wali, Ranga Reddy District,
3 The Sub-Inspector of Police, Narsingi Police Station, Narsingi, R.R. District.
4 K. Krishna, S/o. Ambaiah, having business in Mulgi Adjacent to Premises

No. 1-125/5, Hydershah Kote, Rajendarnagar Mandal, Ranga Reddy

District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ order or direction more one in the nature of WRIT OF MANDAMUS directing the respondents Nos. 1 to 3 not to interfere with the possession and enjoyment in Plot No. 3, S.No. 9/7 situated at Hydershah Kote Village, Rajendernagar Mandal, Ranga Reddy District Admeasuring 183 Sq. Yards.

Counsel for the Petitioner: MR.KISHORE RAI (Not present)

Counsel for the Respondent Nos.1 to 3: GP FOR HOME

Counsel for the Respondent No.4: None appeared.

The Court at the stage of admission made the following :

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ORDER:

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None appears for the petitioner. Heard the learned Government Pleader for Home appearing on behalf of respondent Nos.1 to 3.

This writ petition is filed seeking a direction to respondent Nos.
1 to 3 not to interfere with the possession and enjoyment of the petitioner in Plot No.3 in survey No.9/7 situated at Hydershah Kote village, Rajendernagar Mandal, Ranga Reddy District admeasuring 183 square yards.

A counter-affidavit is filed on behalf of respondent Nos.1 to 3 denying the allegations made in the affidavit filed in support of the writ petition. It is stated that at no point of time the official respondents interfered with the subject plot. It is stated that the allegation that the officials of respondent No.3 under the influence of respondent No.4 are trying to dispossess the petitioner from the property in question and respondent No.3 is threatening the petitioner from entering into the possession of the property, is incorrect, baseless and untenable. It is also stated that this is a case of purely civil in nature and the official respondents have nothing to do with the disputes between the petitioner and respondent No.4. It is further stated that respondent No.4 never approached the official respondents by way of a complaint and as such the question of interference by the police with the possession of the petitioner in the subject plot does not arise and the petitioner seems to have filed the writ petition only on mere apprehension.

In view of the above averments in the counter-affidavit filed on behalf of respondent Nos.1 to 3, no orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

N.V. RAMANA, J

Date: 26-4-2005

Svv

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Police, Cyberabad Commissionerate,
Lakdi-ka-pool, Hyderabad.
2 The Inspector of Police, Dargah Hussain Shah Wali, Ranga Reddy District,
3 The Sub-Inspector of Police, Narsingi Police Station, Narsingi, R.R. District.
4. Two C.Cs. to the Government Pleader for Home, High Court Buildings,

Hyderabad. (O.U.T.)

5 Two CD copies

*Form-NIC-OGS/WP{**RLD**}*